

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MARCOS TOPETE,

Plaintiff

v.

DIRECTOR OF NURSING HDSP, et al.,

Defendants

Case No. 3:24-cv-00419-MMD-CLB

ORDER

On January 30, 2025, the Court issued an order screening Plaintiff's complaint under 28 U.S.C. § 1915A. (ECF No. 7). The Court's order came back as undeliverable to Plaintiff at Ely State Prison. (ECF No. 9). Plaintiff subsequently file a request for copies of documents, and in that filing, he listed his address as Northern Nevada Correctional Center. (ECF No. 11). In light of that filing, the Clerk of the Court updated Plaintiff's address to Northern Nevada Correctional Center. However, according to the Nevada Department of Corrections inmate database, Plaintiff is no longer in NDOC custody.

The Court notes that under Nevada Local Rule of Practice IA 3-1, a "pro se party must immediately file with the court written notification of any change of mailing address, email address, telephone number, or facsimile number." Nev. Loc. R. IA 3-1. "Failure to comply with this rule may result in the dismissal of the action, entry of default judgment, or other sanctions as deemed appropriate by the court." *Id.* The Court now directs Plaintiff to file his updated address on or before **March 17, 2025**. If Plaintiff does not file his updated address with the Court with by **March 17, 2025**, this action will be subject to dismissal without prejudice.

Accordingly, **IT IS HEREBY ORDERED** that Plaintiff shall file his updated address with the Court on or before **March 17, 2025**.

Plaintiff is cautioned that this action will be subject to dismissal without prejudice if Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff

1 to refile the case with the Court, under a new case number when Plaintiff is able to provide
2 his current address to the Court.

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4 DATED THIS 14th day of February 2025.

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6 UNITED STATES MAGISTRATE JUDGE
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